

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Cassandra Fenkel	Team: Squad #14	CCRB Case #: 201708594	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 10/11/2017 11:52 AM	Location of Incident: § 87(2)(b)	Precinct: 114	18 Mo. SOL 4/11/2019	EO SOL 4/11/2019	
Date/Time CV Reported Wed, 10/11/2017 3:42 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 10/17/2017 11:07 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Juan Torres	13539	946335	PSA 9

Officer(s)	Allegation	Investigator Recommendation
A.POM Juan Torres	Force: Police Officer Juan Torres used physical force against § 87(2)(b)	§ 87(2)(b)

### Case Summary

On October 11, 2017, § 87(2)(b) called the IAB Command Center and filed this complaint on behalf of her boyfriend, § 87(2)(b) witnessed the incident. The complaint was received at the CCRB on October 17, 2017.

Between October 24, 2017 and November 17, 2017, § 87(2)(b) was called three times and three voicemails were left for her. A November 17, 2017 search of the CTS database yielded one additional telephone number. § 87(2)(b) was called at this number on November 17, 2017. During this call, § 87(2)(b) answered, provided her contact information, and confirmed the number yielded from the CTS database was her only telephone number. § 87(2)(b) refused to provide an email address. Between November 20, 2017 and December 5, 2017, § 87(2)(b) was called four additional times at this number. Three voicemail messages were left for § 87(2)(b) and during the fourth call, § 87(2)(b) answered and scheduled a CCRB interview for December 13, 2017. An automated text message reminder was sent to § 87(2)(b) on December 11, 2017. However, on December 13, 2017, § 87(2)(b) failed to appear for her interview and did not call in advance to cancel or reschedule. Between December 15, 2017 and January 3, 2018, § 87(2)(b) was called three more times. On one occasion, § 87(2)(b) answered but stated that she would call back and failed to do so, and on two occasions, voicemails were left for § 87(2)(b). Between October 24, 2017 and January 3, 2018, four unreturned letters were mailed to § 87(2)(b).

A November 17, 2017 search of the NYPD Booking, Arraignment, and Disposition System, yielded four possible telephone numbers for § 87(2)(b) which were each called that same day. One of the phone numbers belonged to a family friend named § 87(2)(b) who agreed to call back with § 87(2)(b)'s contact information. § 87(2)(b) was called a second time on November 20, 2017, and she provided § 87(2)(b)'s telephone number. § 87(2)(b) was called at that number that same day and a voicemail message was left for him. Later that day, § 87(2)(b) called the CCRB and left a voicemail confirming his phone number as the telephone number provided by § 87(2)(b). Between November 27, 2017 and December 7, 2017, four additional calls were placed to § 87(2)(b) at that telephone number. On three occasions, there was no answer and three voicemails were left for § 87(2)(b). During the fourth call, § 87(2)(b) answered, confirmed his contact information, and stated that he would call back later that day, but he failed to do so. § 87(2)(b) was called a fifth time on December 11, 2017. § 87(2)(b) answered and scheduled a CCRB interview for December 13, 2017. An automated text message reminder was sent to § 87(2)(b) on December 11, 2017. However, on December 13, 2017, § 87(2)(b) failed to appear for his interview and did not call in advance to cancel or reschedule.

On December 15, 2017, § 87(2)(b) was called a sixth time. There was no answer and a voicemail message was left for him. On December 19, 2017, § 87(2)(b) was called a seventh time. § 87(2)(b) answered and stated that he missed his appointment because he was very busy. § 87(2)(b) rescheduled his CCRB interview for December 28, 2017. An automated text message reminder was sent to § 87(2)(b) on December 26, 2017. However, on December 28, 2017, § 87(2)(b) failed to appear for his interview and did not call in advance to cancel or reschedule.

On December 29, 2017, § 87(2)(b) was called an eighth time. There was no answer and a voicemail message was left for him. On January 3, 2018, § 87(2)(b) was called a ninth time. § 87(2)(b) answered and stated that he missed his appointment due to a parenting class. § 87(2)(b) was unable to reschedule his appointment at the time of the call because he did not know his upcoming schedule. § 87(2)(b) expected to have his schedule for the following week by January 5, 2018. § 87(2)(b) was informed that the CCRB could not hold the case open

indefinitely and that if he did not contact the CCRB by January 5, 2018, his case would be recommended for closure. § 87(2)(b) stated that he understood. He requested a call back on January 5, 2018. § 87(2)(b) was called a tenth time on January 5, 2018. There was no answer and a voicemail was left for § 87(2)(b) reminding him to contact the CCRB in order to prevent his case from being recommended for closure. As of the date of this report, § 87(2)(b) has not contacted the CCRB to reschedule his CCRB interview. Between November 11, 2017 and January 3, 2018, four unreturned letters and four unreturned emails were sent to § 87(2)(b).

A search of the NYC Department of Corrections Inmate Lookup Service conducted on January 5, 2018 confirmed that neither § 87(2)(b) nor § 87(2)(b) are incarcerated.

To date, neither § 87(2)(b) who has missed one appointment, nor § 87(2)(b) who has missed two scheduled appointments, has contacted the CCRB to further pursue this complaint, despite the numerous contact attempts described above. § 87(2)(g)

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Squad No.:     #14    

Investigator:	_____	_____	_____
	Signature	Print Title & Name	Date

Squad Leader:	_____	_____	_____
	Signature	Print Title & Name	Date

Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date